

The Council House Corporation Street Derby DE1 2FS

Councillor Margaret Redfern
Chair
Licensing Committee

Your Reference

Our Reference
MRHI/RJ

Date
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Contact
Councillor Maggie Hird

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Dear Margaret

DISABLED PEOPLE'S DIVERSITY FORUM AND RICKSHAWS

I write as Chair of the Disabled People's Diversity Forum and the Council's Champion for Disabled People.

At the last meeting of the Forum the issue of rickshaw use in the City Centre was discussed. Forum members unanimously agreed to support the recommendation agreed last year by the Taxi Licensing and Appeals Committee, Cross Party Working Group to license rickshaws under the hackney carriage licensing conditions. One of the conditions being that the rickshaw is wheelchair accessible. We also have a legal duty under the Duty to Promote Disability Equality to make sure our licensing conditions are not unnecessarily restrictive of disabled people's access. This was taken into account when the existing conditions were set for rickshaws.

The rickshaw proposed for use in Derby has been assessed against the criteria agreed by members of your committee and failed to meet the accessibility condition.

Forum members are aware that the Taxi Licensing and Appeals Committee may be asked to consider different rickshaw licensing arrangements. The Forum asked me to reaffirm to you their complete support for the current rickshaw licensing arrangements. They do not support any other licensing arrangements which will allow non-accessible vehicles to operate in the City Centre.

Members of the forum were also concerned about the legal position in relation to the Disability Equality Positive Duty and feel if the license conditions are changed to allow the rickshaws to operate under an amended hackney carriage license, the Council will be going back on its commitment to disabled people and the Duty.

Cont.

The Duty to Promote Disability Equality Code of Practice says...

“Because the general duty requires authorities to give due regard to disability equality in every aspect of their activities it may, depending on the nature and remit of the particular authority, require a public authority to consider what action it can take to dismantle attitudinal and environmental barriers within its sphere of influence. For example, licensing authorities should review and licensing conditions to ensure that they are not unnecessarily restrictive of disabled people’s access and that staff draw attention to prospective licensees’ responsibilities to make reasonable adjustments on an anticipatory basis and provide appropriate advice.”

I will also, on the Forum’s behalf, be writing to Councillor Care, Cabinet Member for Planning and Transportation expressing the unanimous view that should some other licensing arrangements be agreed rickshaws should not be permitted to use pedestrianised areas. Forum members are very supportive of our current Traffic Regulation Orders which prohibit most vehicles from our pedestrianised streets. They feel anything which detracts from that will reduce the accessibility of such streets to older and disabled people. Anyway, this is something I’ll take up with Councillor Care.

Should the Licensing and Appeals Committee be asked to reconsider the rickshaw licensing issue I hope you are able to consider the strong views of the Disabled People’s Diversity Forum detailed in this letter.

Yours Sincerely

Councillor Maggie Hird
Chair Disabled People’s Diversity Forum and Disabled People’s Champion.